

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11478 of 2016

Arising Out of PS.Case No. -101 Year- 2015 Thana -JADIA District- SUPAUL

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1. Pramod Sah @ Pramod Sah, son of Ramchandra Sah, resident of
Village-Jadia Ward No. 10, P.S.-Jadia, District-Supaul

.... Petitioner/s

Versus

2. The State of Bihar

3. Archna Devi, wife of Pramod Sah, daughter of Arun Kumar Gupta,
Village-Jadia, Ward No. 10, P.S.-Jadia, District-Supaul. At present
residing at Village-Narayanpur(Madhurapur) Near Sareswat
Austhan, P.S.-Narayanpur, District-Bhagalpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Ramesh Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 09-03-2016

The petitioner being husband of the informant
is apprehending his arrest in a case registered for the offences
punishable under Sections 341, 323, 504, 498A, 34 of the
Indian Penal Code.

The basic accusation is of torture and making
assault.

It is submitted by learned counsel for the
petitioner on instruction that petitioner admits his marriage
with the informant and birth of three children and out of the
three children two are residing with the informant while one is
with the petitioner. The petitioner is ready to keep the
informant as wife with full dignity and honour. A statement to
that effect has been made in para 12 of the petition which
reads as follows:-

“That the petitioner is ready

to keep his wife with full dignity and honour”

It is further submitted that accusation of torture has been levelled after fourteen years of marriage and the injury has been found to be superficial, simple in nature.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for six months on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Supaul in connection with Jadia P.S. Case No. 101 of 2015.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of six months (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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